

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE SCOR HOLDING (SWITZERLAND) AG	:	MASTER FILE
LITIGATION	:	04 Civ. 7897 (DLC)
	:	
This Document Relates to:	:	<u>MEMORANDUM OPINION</u>
	:	<u>& ORDER</u>
ALL ACTIONS	:	
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DENISE COTE, District Judge:

Lead Plaintiffs in this action have submitted a December 10, 2008 supplemental declaration of George W. Neville in relation to their application for costs and expenses ("Neville Declaration"). Neville is a Special Assistant Attorney General of the State of Mississippi. The Office of the Attorney General of the State of Mississippi ("OAG") serves as legal counsel to Lead Plaintiff Public Employees' Retirement System of Mississippi ("MPERS"). OAG has supervised Co-Lead Counsel's work and participated in all significant developments in this action.

The Neville Declaration requests reimbursement in the amount of \$35,575.00, "representing the lost wages for the time devoted to the Action." That request is comprised of "the cost of the time [Neville] devoted to the supervising and participating in this Action in the amount of \$28,405.00 (149.5 hours at \$190.00 per hour)"; "the cost of the time Mr. Geoffrey

Morgan devoted to this Action . . . in the amount of \$6750.00 (33.75 hours at \$200.00 per hour)"; and "the cost of the time that the staff of MPERS and its attorney spent on [various tasks] in the amount of \$420.00 (4 hours at \$105.00 per hour)."

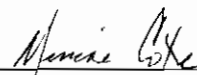
Supervising this litigation and advising the Lead Plaintiff was a responsibility of the OAG and does not constitute "lost wages." Relying on In re NTL Sec. Litig., No. 02 Civ.

3013(LAK), 2007 WL 1294377, at *10 (S.D.N.Y. May 2, 2007); In re Merrill Lynch & Co., Inc. Research Reports Sec. Litig., No. 02 MDL 1484(JFK), 02 Civ. 3176(JFK), 02 Civ. 7854(JFK), 02 Civ. 10021 (JFK), 2007 WL 313474, at *24-*25 (S.D.N.Y. Feb. 1, 2007); Swack v. Credit Suisse First Boston, LLC, No. 02-11943-DPW, 2006 WL 2987053, at *4-*5 (D. Mass. Oct. 4, 2006); and In re AMF Bowling Sec. Litig., 334 F. Supp. 2d 462, 470 (S.D.N.Y. 2004), it is hereby

ORDERED that the application for reimbursement of \$35,575.00 for "lost wages" is denied.

SO ORDERED:

Dated: New York, New York
December 18, 2008



DENISE COTE
United States District Judge